

S/N 10/763,937

Atty Dkt No. GP-303007 (GM0399PUS)

Remarks

Claims 1-21 are pending. Claims 1-11 and 21 are withdrawn. Claims 12-15 are rejected under 35 U.S.C. § 103(a) as being anticipated over Applicant admitted prior art in view of Pruitt et al. (5,890,285). Claims 16-20 are objected to, but contain allowable subject matter. Applicants have amended claims 12, 13, 16, and 19. Applicants have cancelled withdrawn claims 1-11 and 21.

Amended claim 12 recites “providing a unitary panel having a first portion formed as a vehicle body compartment lid outer panel and a second portion formed as a vehicle body compartment lid inner panel; and subsequent to said providing a unitary panel, bending the panel to form a crease between the first portion and the second portion.” (emphasis added). Thus, the unitary panel is formed when provided in accordance with claim 12, and is formed prior to “bending the panel to form a crease between the first portion and the second portion.”

In rejecting claim 12, the Examiner states that “Pruitt et al. teach the step of providing a unitary panel having a first portion (12) formed as a vehicle body outer panel and a second portion formed as a vehicle body inner panel ... and bending (18) the panel to form a crease between the first portion and the second portion.” Pruitt et al. may teach providing a unitary panel, and bending the panel to form a crease between a first portion and a second portion, but Pruitt et al. do not teach the steps of providing a panel already having portions formed as an inner panel and an outer panel and subsequently bending the panel.

Instead, Pruitt et al. teach bending a panel prior to forming the panel. As shown in Figure 2, the panel of Pruitt et al is “folded over on itself” before being placed in a containment die 20 for forming, as shown in Figure 4. Accordingly, neither the Applicant-admitted prior art nor Pruitt et al. teach providing a unitary panel having a first portion formed as a vehicle body compartment lid outer panel and a second portion formed as a vehicle body compartment lid inner panel; and subsequently bending the panel to form a crease between the first portion and the second portion,” as recited by claim 12. Accordingly, Applicants submit that amended claim 12 is allowable.

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Claims 13-15 ultimately depend from claim 12 and are therefore allowable for at least the same reasons that claim 12 is allowable.

Furthermore, claim 13 has been amended to further clarify that the forming of the panel occurs prior to bending the panel. More specifically, claim 13 recites "subjecting a metal sheet to fluid pressure to form the unitary panel prior to said bending the panel." (emphasis added). Pruitt et al. clearly teach subjecting a metal sheet to fluid pressure after bending the panel. Accordingly, none of the references cited by the Examiner teach or suggest all of the elements and limitations of claim 13, and therefore Applicants submit that claim 13 is allowable.

Claims 16-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 16 has been amended to be rewritten in independent form including all of the limitations of the base claim, i.e., claim 12, from which claim 16 originally directly depended. Accordingly, Applicants submit that claim 16 is allowable. Claims 17 and 18 ultimately depend from claim 16 and therefore no longer depend from a rejected base claim. Accordingly, Applicants submit that claims 17 and 18 are allowable.

Claim 19 has been amended to be rewritten in independent form including all of the limitations of the base claim, i.e., claim 12, from which claim 19 originally directly depended. Accordingly, Applicants submit that claim 19 is allowable. Claim 20 depends from claim 19 and therefore no longer depends from a rejected base claim. Accordingly, Applicants submit that claim 20 is allowable.

CONCLUSION

This Amendment is believed to be fully responsive to the Office Action mailed October 31, 2005. The remarks in support of the rejected claims are believed to place this application in condition for allowance, which action is respectfully requested.

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Please charge any fees associated with this amendment to deposit account
07-0960.

Respectfully submitted,

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